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DECLARATION

As a below-named inventor, I declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first, and sole (or an original, first, and joint) inventor of the subject matter described and claimed in the accompanying specification entitled:

Garden Pond Shelter Reef

I have reviewed and understand the contents of the above identified specification, including the claims thereof, as amended by any amendment referred to above.

I acknowledge my duty to disclose to the Office all information known to me to be material to the patentability of this application in accordance with 37 CFR 1.56.

I claim the benefit under 35 USC 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application, I acknowledge my duty to disclose information known to me to be material to patentability which became available between the filing date of such prior applications and the filing date of this application:

U.S. Appl. No: 60/442,744

Filed: January 27, 2003

I appoint the following registered attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Robert J. Bird
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Registration No. 22,957
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I declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements are made with knowledge that willful false statements and the like are punishable by fine or imprisonment or both under 18 USC 1001; and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Residence: Canandaigua, New York
Citizenship: U.S.A.

Signature:

Date: 1-15-04